



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

May 12, 2017

System No.1800516

7012 3460 0003 1112 8915

Little Valley Community Services District
653-305 Seymore Lane
Little Valley, CA 96056

Attn: Terry Ray – Board Member

TRANSMITTAL OF COMPLIANCE ORDER NO. 01-02-17R-003

The State Water Resources Control Board Division of Drinking Water has issued the Little Valley Community Services District a compliance order, which is attached.

If you have any questions regarding this matter, please call staff engineer Katie Connaughton at (530) 224-4870 or me at (530) 224-4800.

A handwritten signature in black ink, appearing to read "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

cc: Bruce Burton, Assistant Deputy Director, DDW
Annette Caraway, Operator Certification Section, DFA

Enclosure: Compliance Order No. 01-02-17R-00X

KEC \ 1800516 Little Valley CSD \ File: Enforcement

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Little Valley Community Services District
653-305 Seymore Lane
Little Valley, CA 96056

Attn: Terry Ray, Board Member

COMPLIANCE ORDER NO. 01-02-17R-003

**FOR VIOLATION OF
CALIFORNIA HEALTH AND SAFETY CODE,
SECTION 116555 AND, CALIFORNIA CODE OF REGULATIONS
TITLE 22, SECTION 64413.7**

WATER SYSTEM NO. 1800516

Issued on May 12, 2017

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division) and the Deputy Director for the Division, hereby issues this compliance order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC"), to Little Valley Community Services District (hereinafter "Little Valley CSD") for violation of CHSC Section 116555(b)(1) & (b)(2) and Title 22, California Code of Regulations (hereinafter "CCR), Section 64413.7.

1 APPLICABLE AUTHORITIES

2 CHSC, Section 116655 states in relevant part:

3 (a)Whenever the department determines that any person has violated or is
4 violating this chapter, or any permit, regulation, or standard issued or adopted
5 pursuant to this chapter, the director may issue an order doing any of the
6 following:

7 (1) Directing compliance forthwith.

8 (2) Directing compliance in accordance with a time schedule set by the
9 department.

10 (3) Directing that appropriate preventative action be taken in the case of a
11 threatened violation.

12 (b) An order issued pursuant to this section may include, but shall not be limited
13 to, any or all the following requirements:

14 (1) That the existing plant, works, or system be repaired, altered, or added to.

15 (2) That purification or treatment works be installed.

16 (3) That the source of the water supply be changed.

17 (4) That no additional service connection be made to the system.

18 (5) That the water supply, the plant, or the system be monitored.

19 (6) That a report on the condition and operation of the plant, works, system, or
20 water supply be submitted to the department.

21

CHSC, Section 116555(b)(1) and (b)(2) provides in relevant part:

(b) Any person who owns a community water system or a nontransient non-community water system shall do all of the following:

(1) Employ or utilize only water distribution system operators who have been certified by the state board at the appropriate grade for positions in responsible charge of the distribution system.

(2) Place the direct supervision of the water system, including water treatment plants, water distribution systems, or both under the responsible charge of an operator or operators holding a valid certification equal to or greater than the classification of the treatment plant and the distribution system.

CCR, Title 22, Section 64413.7 (a) provides in relevant part:

(a) Each water supplier shall designate at least one chief operator that meets the requirements specified in §63770 for each distribution system utilized by the water system.

CCR, Title 22, Section 63770 provides in relevant part:

(a) Chief and shift operators shall possess valid operator certificates pursuant to Table 63770-A.

<i>Distribution System Classification</i>	<i>Minimum Certification of Chief Operator</i>	<i>Minimum Certification of Shift Operator</i>
D1	D1	D1
D2	D2	D1
D3	D3	D2
D4	D4	D3
D5	D5	D3

(b) Water systems shall utilize only certified distribution operators to make decisions addressing the following operational activities:

- (1) Install, tap, re-line, disinfect, test and connect water mains and appurtenances.
- (2) Shutdown, repair, disinfect and test broken water mains.
- (3) Oversee the flushing, cleaning, and pigging of existing water mains.
- (4) Pull, reset, rehabilitate, disinfect and test domestic water wells.
- (5) Stand-by emergency response duties for after-hours distribution system operational emergencies.
- (6) Drain, clean, disinfect, and maintain distribution reservoirs.

FINDINGS OF FACT

The Little Valley CSD operates a community water system that serves a population of 100 with 50 service connections. The water system is classified as a D1 Distribution System and includes one active groundwater well (Well 01) that operates year round. The water supply is untreated. In accordance with Section 64413.7, Title 22 of the CCR, Little Valley CSD is required to designate at least one chief operator that meets the requirements specified in Section 63770 for the distribution system utilized by the water system. Division of Drinking Water staff conducted an inspection of the Little Valley CSD water system on November 3, 2014 and notified the CSD on April 7, 2015 of the requirement to secure the services of a minimum level D-1 Certified Water Distribution Operator, by July 1, 2015. To date Little Valley CSD has failed to secure the services of a certified distribution operator.

1 **DETERMINATIONS**

2 Based on the above Findings of Fact, the Division of Drinking Water finds that Little
3 Valley CSD has violated Section 64413.7, Chapter 17, Title 22, of the CCR and
4 Section 116555 of the Health and Safety Code. Specifically, Little Valley CSD has not
5 designated a chief operator that meets the requirements specified in Section 63770
6 for the distribution system utilized by the water system.

7
8 **DIRECTIVES**

9 Pursuant to Section 116655 of the Health and Safety Code, the Division of Drinking
10 Water hereby orders the Respondents, Little Valley CSD, to do the following:

- 11 1. Secure the services of a grade D-1 Certified Water Distribution Operator no
12 later than September 1, 2017; and
13 2. Submit, to the Division, intent to comply with the applicable authorities of the
14 CHSC and Title 22, CCR, by no later than July 1, 2017.

15
16 All submittals required pursuant to this order shall be addressed to:

17
18 Michael J. McNamara, P.E.
19 Lassen District Engineer
20 Drinking Water Field Operations
21 State Water Resources Control Board
22 Division of Drinking Water
23 364 Knollcrest Drive, Suite 101
24 Redding, CA 96002
25

26 As used in this Order, the date of issuance shall be the date of this Order; and the
27 date of service shall be the date of service of this Order, personal or by certified mail,
28 on the water system.
29

1 The Division reserves the right to make such modifications to this Order and/or to
2 issue such further order(s) as it may deem necessary to protect public health and
3 safety. Such modifications may be issued as amendments to this Order and shall be
4 deemed effective upon issuance.

5
6 Nothing in this Order relieves the water system or its owner of record of its obligation
7 to meet the requirements of the California SDWA, or any regulation, standard, permit,
8 or order issued thereunder.

9
10 If Respondents are unable to perform the tasks specified in this Order for any reason,
11 whether within or beyond Respondents' control, Respondents shall notify the Division
12 of Drinking Water in writing within five days after the event. The Division of Drinking
13 Water may extend the time for performance if the Respondents demonstrate that it
14 has used its best efforts to comply with the schedule and other requirements of the
15 Order.

16
17 If Little Valley CSD fails to perform any of the tasks specified in this Order by the time
18 prescribed herein or as subsequently extended pursuant to this paragraph, the CSD
19 shall be deemed not to have complied with the obligations of this Order and may be
20 subject to additional enforcement action, including civil penalties as specified in
21 Section 116725 of the California Health and Safety Code.

22

1 The State of California shall not be liable for any injuries to persons or damage to
2 property resulting from acts or omissions by the Respondents, its employees, agents,
3 or contractors in carrying out activities pursuant to this Order; nor shall the State of
4 California be held as a party to any contract entered into by the Respondents or its
5 agents in carrying out activities pursuant to this Order.

6
7 By issuance of this Order, The Division of Drinking Water does not waive any further
8 enforcement action.

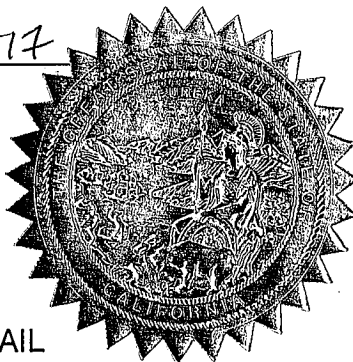
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10 **PARTIES BOUND**

11 This Order shall apply to and be binding upon the Respondents, its officers, directors,
12 employees, agents, contractors, successors, and assignees.

13
14 **SEVERABILITY**

15 The requirements of this Order are severable, and the Respondents shall comply with
16 each and every provision thereof, notwithstanding the effectiveness of any of its
17 provisions.

18
19 5/12/2017
20
21 Date



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29
Richard L. Hinrichs, P.E., Chief
Northern California Section
Division of Drinking Water
State Water Resources Control Board

CERTIFIED MAIL
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